

Fallston Community Council Meeting Notes November 26, 2013

Attendees: Ken Hornbeck, Mandy Trouyet, Don McCreesh, Dave Williams, Gene Crocetti, Morita Bruce

Guests (and organization represented): Andrew Tress (representing County Council president Boniface), Stephanie Flasch (Greater Fallston Association), Sheriff Jesse Bane, Capt. Jack Meckley, Major Chris Swain and Christie Kahler (Sheriff's Office), Wes Mackow (Boy Scouts), Katie Rossman (Pleasant Hills Community)

Other attendees: Jessica Blake, Bill Irwin, Michael Mooney, Kitty Mackow

The meeting was called to order at 6:40 by Dave Williams. Minutes of the September 2013 meeting were approved. Our next FCC meeting will be January 28th.

Noise control and limits.

Sheriff Bane explained the difference between noise that disturbs community members and "disturbing the peace". If a police officer arrests someone for "disturbing the peace" it's a criminal case (MD Criminal Code, COMAR 10-201) and requires a formal court case with official witness testimony in court, etc. Such cases are hard for the police to win.

A community is one or more people. The Sheriff's department depends strictly on community complaints, they do not initiate any measurements of noise on their own. The department now has the authority to enforce Maryland Department of the Environment (MDE) noise regulations, including fining offenders for up to \$10,000 a day. (There was controversy recently regarding that authority which has now been resolved.) Multiple sections of the Maryland Code (COMAR) apply, including 3-403 through 3-408 and COMAR 26.02.03.02

Major Swain confirmed that the precinct has a trained Noise Abatement Officer and the proper equipment to do the measurements. When responding to a complaint of excessive noise, he performs the measurements and tries to convince the offender to correct the problem. The officer explains the state noise rules that can apply, including fines. If the offense continues, he is warned that a corrective order will be mailed to him requiring the noise be corrected or he will have to pay fee(s).

MDE's limits for residential properties are still fairly loud: 65 dBA from 7:00 am to 10:00 pm, and 55dBA from 10:00 pm to 7:00 am. Noise levels are measured at the boundary of the property receiving the noise. If the complainant wishes to remain anonymous, the department will check noise levels at the boundary of the offender's property. Limits are higher for commercial properties (67 dBZ daytime/62 dBA nighttime) and industrial properties (75 dBA).

In addition, civil fines can be imposed based on Harford County's civil code (sections 193-8, 64-12, and 267-4) which limit "excessive noise" (undefined) between the hours of 11:00pm and 6:00am that are audible on residential property more than 50 feet from the source.

There are lots of exceptions to these limits, as explained in the Sheriff's "Citizens' Guide to Noise Regulation" (see handout). A copy may be requested at www.harfordsheriff.org. The goal is to solve the problem at the lowest level of conflict possible.

Other points discussed:

- Intermittent noise and vibrations must also abide by these rules.
- Dirt bikes must stay 300' away from neighbors unless the neighbor(s) has given written approval otherwise allowing shorter distances.
- These decibel (dBA) levels/limits are national standards based on science and how human bodies react to and are affected by sound levels.

Sheriff's Crime Report: Capt. Jack Meckley (meckleyj@harfordsheriff.org), Northern Precinct, provided crime report statistics. He noted that police appreciate hearing about suspicious incidents and alarms because it means people are paying attention. "Accidents" don't mean crashes – they simply be a citizen report of a car stopped in the road or a fender-bender. "Assaults" are attacks that require medical attention; they are what the FBI requires be reported as "Part One Crimes". Assaults do not include NOT domestic assaults, which are separately reported to the state.

The holiday season provides more opportunity for thefts and assaults, as people are away from home longer shopping, etc. Keep purses, etc with you or out of sight, lock your car, house doors, close garage doors. Be alert.

The Sheriff's department will be targeting misuse of handicap parking this season.

Fire Department: Dave Williams reported FVFC's open house in October went well, and they will support the annual procession of Santa through various neighborhoods for the kids. He warned everyone to be careful using turkey fryers, and NOT to use them with frozen turkeys – explosion possible!

The Public Safety Commissions' procedures are changing for efficiency and faster dispatch – goal is 30 seconds – by asking just 3 standard questions before dispatching. All ambulances will have locators installed, aimed at dispatching from the closest available unit from their most current locations (not dispatching based on the station to which they belong).

Old Business:

AES' proposed Liquid Natural Gas pipeline through Fallston has been shut down by FERC, who vacated their previous authorization on November 8th.

The Columbia Gas MB Line through Fallston has been approved, however. This pipeline will largely follow the path of the existing pipeline. Fire departments, Sheriff deputies and other emergency responders toured a gas compressor station.

Beth Poggioli of "Build It Now" (YBES) reported that design of the YBES project is underway. YBES has requested top priority for the 2015 capital budget. Attendees were urged to support the project by contacting officials at the state and Board of Education.

New Business:

Dave Williams reported that a multi-family apartment housing development at the Benson intersection has been withdrawn. It was to have been 6 buildings for 150 apartments on 11 acres. He spoke with the developer, who had hoped to get county support for a federal tax break with credits for the investors so that below-market rental rates could have been passed on to the apartment residents. It would have been fully self-supporting housing for low-to-moderate income workers, but a tight schedule precluded receipt of county support.

A Community Input Meeting (CIM) for the commercial property at Milton Ave. and Bel Air Rd. was held in October and the DAC in November. Concern is the traffic flows within the site as well as into and out of the site.

The DAC (Development Advisory Committee) meeting for the residential units at Connolly Road and Fallston Road will be December 18. There will be a DAC scheduled for 15 new houses on Willow Vale Road, with Willow Vale being extended to connect to Putnam Road.

Harford's budget cycle has started. The first public meeting was held at FHS; about 70 people attended. Most complained about the County Executive not supporting schools. However, speakers should have addressed the Board of Education instead because Harford government loses control of the money once it goes to the Board of Education.

There is a budget tool online for the Board of Education. Calls and comments on the budget are encouraged, and other opportunities for public comment will be available.

FCC's next meeting will be January 28. Speaker will be the Deputy Director of Harford's Department of Inspections, Licenses and Permits.

The meeting was adjourned at 8:30 p.m.

Submitted by Morita Bruce